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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,642	05/30/2001	Ilia Zverev	IFT774US	8001
24131	7590	06/16/2006	EXAMINER	
LERNER GREENBERG STEMER LLP			JONES, HUGH M	
P O BOX 2480			ART UNIT	
HOLLYWOOD, FL 33022-2480			PAPER NUMBER	
			2128	

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,642

Applicant(s)

ZVEREV ET AL.

Examiner

Hugh Jones

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. Claims 1-5 of U.S. Application 09/867,642, filed 05/30/2001 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The detailed specification and figures disclose nothing more than generalities pertaining to the claimed invention. These generalities include downloading a standalone simulator and a vendor catalogue but disclose no specifics in a manner to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
5. A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Fin et al. (F).

7. Specifically:

8. A method of supporting an electronic component, which comprises: providing an online catalogue with electronic components; storing a computer-executable file with a standalone simulator for simulating a circuit behavior of a specific one of the electronic components; linking the computer-executable file to the specific electronic component in the online catalogue and enabling download of the computer-executable file to a consumer and enabling the consumer to execute a simulation with the specific electronic component (F: sections 1, 2.1, section 4 – “Local simulation”. It is noted that no patentable weight is provided for “enabling” because the recitations are not required for the claim).

9. The method according to claim 1, wherein the storing step comprises archiving the computer-executable file and prompting the consumer to extract and install the computer-executable file prior to executing the simulation (F: sections 1, 2.1, section 4 – “Local simulation”).

10. The method according to claim 1, which further comprises storing simulation models for the electronic components in the online catalogue and enabling the consumer to download either a simulation model or a standalone simulator linked to a given one of the electronic components (F: sections 1, 2.1, section 4 – “Local simulation”. It is noted that no patentable weight is provided for “enabling” because the recitations are not required for the claim).

11. A virtual product support system, comprising: a computer-readable file with a listing of electronic components; a storage system storing computer-executable files with standalone simulators for simulating an electronic behavior of the electronic components; a computer-readable file with a listing of the standalone simulators available in said storage system and with linking information between individual standalone simulators and individual electronic components; and a network connection for providing access to said listing of standalone simulators and for enabling download, by a customer, of individual simulators via said network connection (F: sections 1, 2.1, section 4 – “Local simulation”. It is noted that no patentable weight is provided for “enabling” because the recitations are not required for the claim)

12. The virtual product support system according to claim 4, wherein said network connection is an Internet connection and said listing of the standalone simulators is hyperlinked to said computer-executable files (F: sections 1, 2.1, section 4 – “Local simulation”).

13. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by McDonald et al. (M). McDonald provides at least two embodiments wherein one

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includes a standalone simulator (see the 102 rejection) and the other does not (see 103 rejection).

14. Specifically:

15. A method of supporting an electronic component, which comprises: providing an online catalogue with electronic components; storing a computer-executable file with a standalone simulator for simulating a circuit behavior of a specific one of the electronic components; linking the computer-executable file to the specific electronic component in the online catalogue and enabling download of the computer-executable file to a consumer and enabling the consumer to execute a simulation with the specific electronic component (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37. It is also noted that no patentable weight is provided for “enabling” because the recitations are not required for the claim).

The method according to claim 1, wherein the storing step comprises archiving the computer-executable file and prompting the consumer to extract and install the computer-executable file prior to executing the simulation (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37.).

The method according to claim 1, which further comprises storing simulation models for the electronic components in the online catalogue and enabling the consumer to download either a simulation model or a standalone simulator linked to a given one of the electronic components (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37. It is noted that no patentable weight is provided for “enabling” because the recitations are not required for the claim).

A virtual product support system, comprising: a computer-readable file with a listing of electronic components; a storage system storing computer-executable files with standalone simulators for simulating an electronic behavior of the electronic components; a computer-readable file with a listing of the standalone simulators available in said storage system and with linking information between individual standalone simulators and individual electronic components; and a network connection for providing access to said listing of standalone simulators and for enabling download, by a customer, of individual simulators via said network connection (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37.).

The virtual product support system according to claim 4, wherein said network connection is an Internet connection and said listing of the standalone simulators is hyperlinked to said computer-executable files (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
18. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beall of McDonald et al. in view of Squier.
19. Beall et al. disclose downloadable applets for simulation of circuit components which may be purchased from a vendor (See line 56, col. 15 to line 32, col. 16):

"The information for a part might also be marked as having additional information associated with it on the World Wide Web. For example, the complete data sheet for a part, including all specifications, usage notes, and characteristics information, may be available as an HTML document, with its Universal Resource Locator ("URL") associated with the parts as one of its parameters. If an instance is selected and it has a URL associated with it, a "hot links" button 4075 will become active. The user may click on the hot links button 4075 to cause the browser 4014 to retrieve the HTML document, or download an applet in the form of executable content (for example, a circuit simulation applet to model the selected integrated circuit's performance). The user may choose to browse this associated information by choosing to view linked data, resulting in the launch of an instance of a Web browser with the URL. URLs may also be associated with any class, attribute, or standard attribute value within the knowledge base 4012. For example, a URL for an HTML document describing all of National Semiconductor's plastic integrated circuit package types could be associated with an enumerator for the attribute package type 4071. Selecting the option to view this linked data would launch the Web browser 4014 beginning at the URL, allowing the plastic package application notes to be viewed. Any of these associated URLs might also be Java applets, whose launch results in execution of the applet locally within the users Web browser 4014. For example, an output voltage attribute might have an

associated HTML page containing an applet that interacts with the user, accepting various input parameters and dynamically graphing the resulting voltage or current curves representing device characteristics. This allows for interactive functionality associated with any database element to be delivered to the user on demand.

Finally, the user may decide to order a sample of a part. The user would choose an "order sample" link associated with the information displayed for a part, and an applet would run in the browser allowing the user to specify quantity desired, intended use, ordering and billing information. This information would be communicated using an executable content based remote procedure call mechanism to an application at National Semiconductor that would automatically verify and place the order for the user. An executable content based remote procedure call mechanism will be described in more detail below."

20. McDonald discloses

15. A method of supporting an electronic component, which comprises: providing an online catalogue with electronic components; storing a computer-executable file for simulating a circuit behavior of a specific one of the electronic components; linking the computer-executable file to the specific electronic component in the online catalogue and enabling download of the computer-executable file to a consumer and enabling the consumer to execute a simulation with the specific electronic component (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37. It is also noted that no patentable weight is provided for "enabling" because the recitations

are not required for the claim).

The method according to claim 1, wherein the storing step comprises archiving the computer-executable file and prompting the consumer to extract and install the computer-executable file prior to executing the simulation (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37.).

The method according to claim 1, which further comprises storing simulation models for the electronic components in the online catalogue and enabling the consumer to download either a simulation model simulator linked to a given one of the electronic components (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37. It is noted that no patentable weight is provided for "enabling" because the recitations are not required for the claim).

A virtual product support system, comprising: a computer-readable file with a listing of electronic components; a storage system storing computer-executable files with simulators for simulating an electronic behavior of the electronic components; a computer-readable file with a listing of the simulators available in said storage system and with linking information between individual simulators and individual electronic components; and a network connection for providing access to said listing of simulators and for enabling download, by a customer, of individual simulators via said network connection (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37.).

The virtual product support system according to claim 4, wherein said network connection is an Internet connection and said listing of the simulators is hyperlinked to

said computer-executable files (M: Fig. 1C; fig. 2A, fig. 13-14, fig. 16A, fig. 28-29. Note col. 11, lines 20-37, especially lines 34-37).

21. Beall et al. or McDonald (in one embodiment) does not expressly disclose running the simulation in standalone mode.

22. Squier discloses that it was well known in 1998 to turn applets into applications.

23. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Beall or McDonald with the teaching of Squier for the following reasons. It would be advantageous to be able to access the simulation when the internet was down, to save on the costs of using the internet and to ensure privacy of the simulated proprietary information.

Response to Arguments

24. Applicant's arguments, filed 3/24/2006, have been carefully considered, but are not persuasive.

25. Applicant's arguments relating to the art rejections are moot in view of the new art rejections.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

27. See Chritoffersen; PhD Thesis - Global modeling of nonlinear microwave circuits; pp. 1-151 (note page 134); 2000. Page 134 discloses that Transim can be run as a standalone program (contrary to the text in the specification).

28. Any inquiry concerning this communication or earlier communications from the examiner should be:

directed to: Dr. Hugh Jones telephone number (571) 272-3781,

Monday-Thursday 0830 to 0700 ET,

or

the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, telephone number (703) 305-3900.

mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051 (for formal communications intended for entry)

or (703) 308-1396 (for informal or draft communications, please label *PROPOSED* or *DRAFT*).

Dr. Hugh Jones
Primary Patent Examiner
June 6, 2006


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